

Minutes
Air Pollution Control Board
Indiana Government Center South
Conference Room A
402 West Washington Street
Indianapolis, Indiana

May 5, 1999
1:00 p.m.

1. The meeting was called to order by John Walker, Chairman, at 1:00 p.m. He introduced the members of the board and noted that a quorum was present.

CALL TO ORDER
QUORUM

Present: John Walker, Chairman
Randy Staley
Tom Anderson
Jeff Bowe
Marlow Harmon
James Miner, M.D.
Chris Horn
Howard W. Cundiff, Proxy, State Board of Health
John Bacone, Proxy, Department of Natural Resources
Thomas Rarick, Technical Secretary
Rachel McGeever, Legal Council

Absent: George Ewing
Steve Rogers, Proxy, Lieutenant Governor

Also present were Lori Kaplan, Commissioner; Tim Method, Deputy Commissioner; Janet McCabe, Assistant Commissioner; and staff from the Office of Air Management. Other attendees are recorded on a separate sheet. A Court Reporter was present and a transcript is available for review.

2. Tim Method informed the board that the legislature passed six bills that would affect the Board's decisions on air quality issues. Senate Bill 397 allows the Board and public to provide input on nonrule policy documents. House Bill 1561 directs the Environmental Quality Service Council to assist in establishing a practical training program that is oriented towards solving a specific air

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quality problem. House Bill 1725 exempts local government units from having to pay the fees associated with the lead-based paint accreditation program. House Bill 1919 contained a variety of environmental measures concerning air, water, waste and environmental issues including placing a three million dollar permit fee revenue cap on certain permitting programs for the beginning of each fiscal year. The budget for the next fiscal year passed without any changes.

Ms. McCabe provided the board with a chart that is put out by EPA Region V. This chart showed that Indiana is doing very well in terms of issuing Title V permits in comparison to the other states in the Region V area. Ms. McCabe updated the board on the statewide nitrogen oxides rulemaking. Ms. McCabe informed the Board that the Smog Watch Web page has been reactivated for the 1999 ozone season. There is also an eight-hundred phone number that individuals who do not have access to the internet may call and be briefed on the latest ozone forecast. The last issue Ms. McCabe discussed was a possible out-of-town Board meeting and tour. Dr. Miner suggested North Central Indiana because the Board will be involved with the styrene and recreational vehicles industry rules that may affect this area.

Mr. Walker detailed the agenda for the board meeting.

3. Mr. Walker entered into the record Exhibit 1, the draft rule. IDEM staff explained that this rulemaking would define the responsibilities of companies in preventing accidental releases and how they would handle an accidental release. There were no commentors.

Dr. Miner moved to preliminarily adopt the amendments to 326 IAC 20-2-1. Mr. Anderson seconded. The motion passed unanimously.

4. Mr. Walker entered into the record Exhibit 2, the rule as preliminarily adopted, and Exhibit 2A, the rule as preliminarily adopted and proposed for final adoption with suggested changes. IDEM staff explained that this rulemaking would regulate emissions of volatile organic compounds from gasoline transports and bulk gasoline facilities. Mike Pitts commented on behalf of Indiana Petroleum Marketers and for Stan Pinegar, representing the Indiana Petroleum Council.

Mr. Horn moved to adopt the amendments to 326 IAC 8-4-7 and 326 IAC 8-4-9. Dr. Miner seconded. The motion passed unanimously. Mr. Anderson moved to final adopt the rule. Mr. Cundiff seconded. The motion passed by 9-0 vote.

**CONSIDERATION OF
PRELIMINARY
ADOPTION OF
AMENDMENTS TO
326 IAC 20-2-1,
Chemical Accident
Release Prevention
Requirements, 112 (r).**

**CONSIDERATION OF
FINAL ADOPTION OF
AMENDMENTS TO
326 IAC 8-4-7 and 8-4-9
Gasoline Transport
Testing and Leaks from
Transports and Vapor
Collection Systems
Records.**

5. Mr. Walker entered into the record Exhibit 3, the rule as preliminarily adopted, and Exhibit 3A, the rule as preliminarily adopted and proposed for final adoption with suggested changes. IDEM staff explained that this rulemaking would update IDEM's references to the Code of Federal Regulations. The amended state rule would include revised ozone and particulate matter ambient air quality standards that EPA issued in July of 1997. David L. Whitmer commented on behalf of himself, DECA, Incorporated, and the Solid Waste Management Association. Blake Jeffery commented on behalf of the Indiana Manufacturers Association. Lisa Disbrow spoke on behalf of Waste Management.

Mr. Cundiff moved to adopt the amendments to 326 IAC 1-1-3; 326 IAC 1-1-3.5; 326 IAC 1-2-20.5; 326 IAC 1-2-52 and 326 IAC 1-3-4. Mr. Horn seconded. The motion passed unanimously. Mr. Bowe moved to final adopt the rule. Mr. Anderson seconded. The motion passed by 9-0 vote.

6. Mr. Walker entered into the record Exhibit 4, the rule as preliminarily adopted and proposed for final adoption. IDEM staff explained that this rulemaking changes particulate limits for the Johns-Manville facility in Wayne County to remove restrictions on hours of operation. There were no commentors.

Mr. Bowe moved to final adopt the amendments to 326 IAC 6-1-14. Mr. Anderson seconded. The motion passed by 9-0 vote.

7. The next meeting will be on Wednesday, August 4, 1999, at 1:00 p.m., at the Conference Center, Room A, Indiana Government Center South, Indianapolis, Indiana.

8. Mr. Walker adjourned the meeting at 2:52 p.m.

**CONSIDERATION OF
FINAL ADOPTION OF
AMENDMENTS TO 326 IAC
1-1-3, Reference to the Code of
Federal Regulations; new rule
326 IAC 1-1-3.5, References to
the Compilation of Air
Pollution Emission Factors
AP-42 and Supplements; new
rule 326 IAC 1-2-20.5,
Compilation of Air Pollution
Emission Factors AP-42
Defined; amendments to 326
IAC 1-2-52, Particulate Matter
Definition; 326IAC 1-3-4,
Ambient Air Quality
Standards.**

**CONSIDERATION OF
FINAL ADOPTION OF
AMENDMENTS TO
326 IAC 6-1-14,
Particulate Emission
Limits for Johns-
Manville Corporation
also known as Schuller
International, Inc., and
Schrock Cabinet
Company.**

NEXT MEETING

ADJOURNMENT

John Walker, Chairman

Thomas Rarick, Technical Secretary